

FILED
Clerk
District Court

UNITED STATES DISTRICT COURT
FOR THE

MAR 25 2008

NORTHERN MARIANA ISLANDS ~~For The Northern Mariana Islands~~

By _____
(Deputy Clerk)

PATRICK JAMES TIMMERMAN
individually, and as guardian ad litem for
JOSHUA PATRICK AGCAOILI
TIMMERMAN, a minor and MARIA
PURLEY AGCAOILI TIMMERMAN,

Civil Action No. 08-0007

Plaintiffs,

Case Management Scheduling
Order

vs.

TAGA AIR CHARTER SERVICES, INC.,
HONG KONG ENTERTAINMENT
(OVERSEAS) INVESTMENTS LTD.,
TINIAN DYNASTY HOTEL, INC. and
DOES 1-100, inclusive

Defendants.

William M. Fitzgerald
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G. Anthony Long
Attorney at Law
P.O. Box 504970
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Pursuant to Federal Rule of Civil Procedure 16(b)¹ and Local Rule 16.2CJ.e.4, a

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Fed.R.Civ.P. 16(b)(6) provides in part that a case management scheduling order "shall not be modified except upon a showing of good cause and by leave of the district judge[.]" To establish good cause, a party must generally show that even with the exercise of due diligence it cannot meet the order's timetable. See e.g. Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 609 (9th Cir. 1992). The liberal amendment policy of Fed.R.Civ.P. 15 no longer obtains once the case management scheduling order has been entered. See Coleman v. Quaker Oats Co., 232 F.3d 1271, 1294 (9th Cir. 2000).

1 Case Management Conference was conducted in the above case on March 25, 2008.

2 As a result of the conference,

3 IT IS ORDERED THAT:

- 4 1. All parties are to be joined on or before September 1, 2008.
- 5 2. All motions to amend pleadings shall be filed on or before September 1,
- 6 2008.
- 7 3. All discovery shall be served by October 1, 2008.
- 8 4. All discovery motions shall be filed so as to be heard on or before
- 9 November 20, 2008. The following discovery documents and proofs of
- 10 service thereof shall not be filed with the Clerk until there is a motion or
- 11 proceeding in which the document or proof of service is in issue and then
- 12 only that part of the document which is in issue shall be filed with the Court:
- 13 a. Transcripts of depositions upon oral examination;
- 14 b. Transcripts of deposition upon written questions;
- 15 c. Interrogatories;
- 16 d. Answers or objections to interrogatories;
- 17 e. Requests for production of documents or to inspect tangible things;
- 18 f. Responses or objections to requests for production of documents or
- 19 to inspect tangible things;
- 20 g. Requests for admission; and,
- 21 h. Responses of objections to requests for admission.
- 22 5. Plaintiff expert disclosure - July 1, 2008.
- 23 6. Defendant and third-party defendant expert disclosure - August 1, 2008.
- 24 7. Plaintiff's rebuttal expert disclosure - September 1, 2008.
- 25 8. Defendant's rebuttal expert disclosure - September 1, 2008.
- 26 9. Expert discovery shall be completed by October 1, 2008.
10. A status conference will be held on September 5, 2008, at 9:00 a.m.
11. All dispositive motions shall be heard on or before January 15, 2009. Said
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1 motions shall be filed in accordance with Local Rules 7.1.

2 12. A settlement conference will be held on July 8, 2008, at 9:00 a.m.

3 13. A settlement conference will be held on February 6, 2009, at 9:00 a.m.

4 14. The jointly-prepared final pretrial order, prepared pursuant to Local Rule
5 16.2CJ.e.9, shall be filed with this Court by February 13, 2009.

6 15. A final pretrial conference will be held on February 20, 2009, at 9:00 a.m.

7 16. The trial in this case shall begin on March 2, 2009, at 9:00 a.m.

8 This case has been assigned to the Standard Track.

9 DATED THIS 25th day of March, 2008, Garapan, Saipan, CNMI.

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13 Judge Alex R. Munson
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